

**United States Court of Appeals**  
**FOR THE EIGHTH CIRCUIT**

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No. 02-3621

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Ronnie Lockard,

Appellant,

v.

Department of Agriculture, Farm  
Service Agency; Len Blaylock, Jr.,

Appellees.

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Appeal from the United States  
District Court for the  
Eastern District of Arkansas.

[UNPUBLISHED]

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Submitted: July 17, 2003

Filed: July 24, 2003

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Before BOWMAN, BYE, and MELLOY, Circuit Judges.

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PER CURIAM.

Ronnie Lockard appeals the district court's<sup>1</sup> dismissal of his action against federal defendants. Lockard and his mother had previously brought a similar action in federal court that was dismissed for lack of jurisdiction, given monetary limits as to some claims and the failure to exhaust administrative remedies as to other claims. In the instant action Lockard presented no additional allegations, and we conclude jurisdiction was still lacking. We therefore affirm the dismissal of this action for lack

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<sup>1</sup>The Honorable Stephen M. Reasoner, United States District Judge for the Eastern District of Arkansas.

of jurisdiction, but modify the dismissal to be without prejudice. See Ahmed v. United States, 147 F.3d 791, 796 n.5, 797-98 (8th Cir. 1998) (district court's decision may be affirmed on any ground supported by record; dismissal for lack of jurisdiction is not adjudication on merits and thus should be without prejudice).

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.